

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:06CR136
Plaintiff,)	
)	
vs.)	ORDER
)	
DONALD L. LIVINGSTON,)	
)	
Defendant.)	

IT IS ORDERED:

The request for appointment of new counsel (Filing No. 42) is granted. Michael F. Maloney and the office of the Federal Public Defender are granted leave to withdraw as counsel for the defendant. The court approves the defendant's request to proceed pro se and the defendant is deemed proceeding pro se.

IT IS FURTHER ORDERED that Michael L. Smart is appointed to represent the above named defendant in this matter as stand-by counsel and shall forthwith file an appearance in this matter.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this order to the Federal Public Defender and Michael L. Smart.

DATED this 30th day of November, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge